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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

D-1 MARIVI SELL,

Defendant.

Case: 2:22-cr-20132
Assigned To : Borman, Paul D.
Referral Judge: Grey, Jonathan J.C.
Assign. Date : 3/9/2022
Description: INDI USA V. SELL (NA)

Violations/Offenses:
18 U.S.C. §1343: Wire Fraud

INDICTMENT

The Grand Jury charges:

The Scheme

1. From in or about December 2015, through in or about June 2017, in the Eastern District of Michigan, Southern Division, (D-1) MARIVI SELL (SELL), knowingly devised and executed a scheme to defraud J.E, and to obtain money by means of false and fraudulent material pretenses, representations and promises.

2. At all times relevant to this Indictment and for the purpose of executing and attempting to execute the scheme to defraud, Sell did the following:

a. Sell and J.E. entered into an agreement to promote concerts featuring Filipino musicians in the Eastern District of Michigan. In or about April 2015, Sell and J.E. each invested \$45,000 in a concert scheduled for April 2015 in Sterling

Heights, Michigan.

b. Ticket sales for the concert were low and the concert was cancelled at the last minute. J.E. refunded the full price of the tickets she sold, SELL did not.

c. With intent to defraud, Sell falsely told J.E. that to recover her losses SELL filed a lawsuit in California against the company that helped them promote the concert. To trick J.E. into believing the lawsuit was real, Sell set up a fake email address for a fictitious lawyer, gave that information to J.E., and asked J.E. to join her in a lawsuit which did not exist. The fake email address was “albertjohnson1100@yahoo.com.”

d. In December 2015, with intent to defraud, Sell told J.E. that a \$200,000 settlement had been approved in the lawsuit. J.E., hoping to recover her own losses on the concert, agreed to join the lawsuit and gave Sell \$10,000 in cash and checks.

e. All emails from and to the email address “albertjohnson1100@yahoo.com” traveled through Yahoo email servers outside the State of Michigan.

e. From December 2015 through June 2017, with intent to defraud, Sell told J.E. the settlement amount in the fictitious lawsuit was getting larger because of judicial review of the case and penalties levied against the defendant company. By December 2016, Sell told J.E. the settlement amount had risen to \$1,000,000.

f. From December 2015 through June 2017, Sell persuaded J.E. to give her over \$425,000 in cash and checks to pay for fictitious expenses related to the lawsuit.

g. To lull J.E. into believing both the lawsuit and requests for funds were legitimate, Sell drafted and forwarded emails purporting to be from albertjohnson1100@yahoo.com, the email address she created for the fictitious lawyer. The fraudulent emails demanded hundreds of thousands of dollars for court costs, attorney's fees, taxes, and penalties, expressed frustration that the lawyer was being questioned about the legitimacy of the requests for funds, and gave excuses for not sending the settlement money.

h. By June 2017, Sell had tricked J.E. into depositing over \$425,000 into Sell's bank account at Credit Union One in cash and wire transactions which Sell used for her own personal expenses and enrichment.

COUNTS 1 THROUGH 5
(18 U.S.C. § 1343 - Wire Fraud)

D-1 MARIVI SELL

1. All previous paragraphs are included in these counts.
2. Beginning in December 2015 and continuing through June 2017, SELL

knowingly devised and executed a scheme to defraud and to obtain money from J.E. by means of false and fraudulent material pretenses, representation and promises.

3. On the dates set forth below, in the Eastern District of Michigan, Southern Division, and elsewhere, **SELL**, with intent to defraud and for the purpose of executing the scheme transmitted and caused the transmission of wire communications in interstate commerce. These communications included email, writings, signs, signals, pictures, and sounds for the purpose of executing the scheme.

4. Each of the following constitutes a separate count of this Indictment and represents an email communication sent to J.E. in the Eastern District of Michigan through Yahoo servers outside the State of Michigan:

Count	On or About	Description
1	March 13, 2017	An email sent from <u>albertjohnson1100@yahoo.com</u> to <u>eioj0420@yahoo.com</u> (JE) and copied to <u>marvcs@yahoo.com</u> (Marivi Sell) stated, "i just got done with the paycom. they penalize us already for the delay. but they got all the documents from the court! so we are completely done with the court! they only charge 6 k each so minimal compare to court! i issued my check cause we are on a deadline. i was trying to call Ms. Sell but just straight to voicemail! and my charge is minimal too 2k each of you! i would advise to send it now its dated for wed! lets do this! thank you!"

2	March 14, 2017	An email sent from <u>albertjohnson1100@yahoo.com</u> to <u>eioj0420@yahoo.com</u> (JE) and copied to <u>marvcs@yahoo.com</u> (Marivi Sell) stated, "as per our conversation, additional payment of 3200 needs to be paid. please send this today we cannot delay this so we can go ahead with the March 17 th date! as advised the total check I need to receive including last night is \$26400!"
3	May 8, 2017	An email sent from <u>albertjohnson1100@yahoo.com</u> to <u>eioj0420@yahoo.com</u> (JE) and copied to <u>marvcs@yahoo.com</u> (Marivi Sell) stated, "hello. They redeposit the 25 k checks i just hope u giys funded that! after it clears I will send u the schedule. This is it finally we on our way t finishing this! thank you"
4	May 16, 2017	An email sent from <u>albertjohnson1100@yahoo.com</u> to <u>eioj0420@yahoo.com</u> (JE) stated, "schedule is all set for Aug 11 th it will direct deposited in ur account at midnight. No more changing and delay! i info Ms. Sell about this as well. She just needs to pay tge penalty of bounce check which i begged to lower it to 8500 instead of 12k.....Ms. Estrella i emailed it to ur partner already and she is begging if u can help her with the bounce fee cause i found out from her that she covered the last 2 fees already. Canu u guys fix whatever is going thru between the 2 o u. this is what u guys been fighting for and now that we are getting it and nobody can stop this now at least fix ur differences..."
5	June 14, 2017	An email sent from <u>albertjohnson1100@yahoo.com</u> to <u>eioj0420@yahoo.com</u> (JE) and copied to <u>marvcs40@att.net</u> (Marivi Sell) stated, "u talk as if u are the Only one who paid! and u did not pay me hundred of thousands!!! the paycom trial deposit for both of u is a week before aug 11 so aug 4 th ! and with regards to paperworks that u have been dying to get its not in my hands yet and for the treatment

		that i have been getting from u and ur being impatient please send me a check for 2500! thank you”
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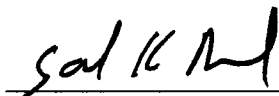
All in violation of Title 18, United States Code, Sections 1343.

THIS IS A TRUE BILL.

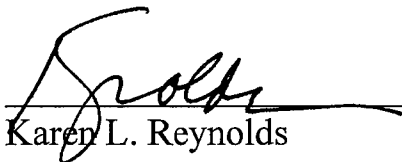
s/Grand Jury Foreperson

GRAND JURY FOREPERSON

DAWN N. ISON
United States Attorney



John K. Neal
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Assistant United States Attorney



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Date: March 9, 2022

ORIGINAL

Case: 2:22-cr-20132
Assigned To : Borman, Paul D.
Referral Judge: Grey, Jonathan J.C.
Assign. Date : 3/9/2022
Description: INDI USA V. SELL (NA)

United States District Court
Eastern District of Michigan

Criminal Case Co

NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in an appropriate manner.

Companion Case Information	Companion Case Number:
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :	Judge Assigned:
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	AUSA's Initials: <i>KLR</i>

Case Title: USA v. Marivi Sell

County where offense occurred : Macomb

Check One: ☒ Felony ☐ Misdemeanor ☐ Petty

 Indictment/ Information --- no prior complaint.
☒ Indictment/ Information --- based upon prior complaint [Case number: 18-mj-30348]
 Indictment/ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding Case Information

Superseding to Case No: _____ Judge: _____

- ☐ Corrects errors; no additional charges or defendants.
☐ Involves, for plea purposes, different charges or adds counts.
☐ Embraces same subject matter but adds the additional defendants or charges below:

Defendant name

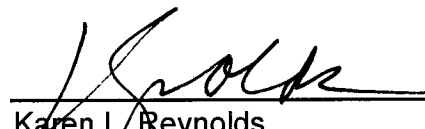
Charges

Prior Complaint (if applicable)

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

March 9, 2022

Date


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¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, or (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.